



12-29-05

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Pau et al.

Serial No.: 09/449,854

Filed: November 26, 1999

For: PRODUCTION OF VACCINES

Confirmation No.: 6774

Examiner: M. Hill

Group Art Unit: 1648

Attorney Docket No.: 2578-4240US

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Person making Deposit: Steve Wong

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of U.S. patents are not being submitted pursuant to M.P.E.P. 609 III A(2). Copies of foreign patent documents and non-patent literature are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

01/03/2006 HDENESS1 00000011 09449854

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Serial No.: 09/449,854

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US-4,703,008	10-27-1987	Lin
US- 4,835,260	05-30-1989	Shoemaker
US- 5,047,335	09-10-1991	Paulson et al.
US- 5,441,868	08-15-1995	Lin
US- 5,457,089	10-10-1995	Fibi et al.
US- 5,494,790	02-27-1996	Sasaki et al.
US- 5,767,078	06-16-1998	Johnson et al.
US- 5,773,569	06-30-1998	Wrighton et al.
US- 5,789,247	08-04-1998	Ballay et al.
US- 5,830,851	11-03-1998	Wrighton et al.
US- 5,835,382	11-10-1998	Wilson et al.
US- 5,856,298	01-05-1999	Strickland
US- 5,994,128	11-30-1999	Fallaux et al.
US- 6,033,908	03-01-2000	Bout et al.
US- 2002/116723 A1	08-22-2002	Grigliatti et al.
US- 6,492,169 B1	12-10-2002	Vogels et al.
US- 6,558,948	05-06-2003	Kochanek et al.
US- 2003/0087437 A1	05-08-2003	Asada et al.
US- 2003/0092160	05-15-2003	Bout et al.
US- 6,653,101 B1	11-25-2003	Cockett et al.
US- 6,855,544	02-15-2005	Hateboer et al.
US - 6,878,549 B1	04-12-2005	Vogels et al.

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
WO 93/03163	02-18-1993	Fond Nat Transfusion
WO 95/05465	02-23-1995	Amgen Inc.

Serial No.: 09/449,854

WO 95/29994	11-09-1995	Univ Michigan
WO 97/00326	01-03-1997	Univ Leiden
WO 98/18926	05-07-1998	G.D. Searle & Co.
WO 98/39411	09-11-1998	Baxter International Inc.
WO 98/44141	10-08-1998	The University of British Columbia
WO 99/05268	02-04-1999	Boehringer Mannheim GMBH
WO 00/61164	10-19-2000	Kenneth S. Warren Laboratories
WO 00/63403	10-26-2000	Introgene B.V.
WO 01/38362 A2	05-31-2001	Crucell Holland B.V.
WO 02/053580	07-11-2002	The Kenneth S. Warren Institute, Inc.
WO 03/038100 A1	05-08-2003	Crucell Holland B.V.
WO 03/048197 A1	06-12-2003	Crucell Holland B.V.
WO 03/048348 A2	06-12-2003	Crucell Holland B.V.
WO 03/051927	06-26-2003	Crucell Holland B.V.
WO 2004/003176	01-08-2004	The Kenneth S. Warren Institute, Inc.
WO 2004/099396	11-18-2004	Crucell Holland B.V.
EP 0 185 573	06-25-1995	Univ Michigan
EP 0 411 678	02-06-1991	Genetics Institute, Inc.
EP 0 833 934 B1	04-08-1998	Fallaux et al.

Other Documents

Opposition against European patent 1108787 filed October 5, 2005 in the name and on behalf of Probiogen AG.

GRAHAM et al., "Characteristics of a Human Cell Line Transformed by DNA from Human Adenovirus Type 5," J. Gen. Virol., 1977, pp. 59-72, Vol. 36.

GRAHAM, Cell Lines, Promochem (visited April 10, 2005)
<<http://www.lgcpromochem-atcc.com/SearchCatalogs/longview.cfm?view=ce,1146678...>>.

SPECTOR et al., "Regulation of Integrated Adenovirus Sequences During Adenovirus Infection of Transformed Cells," *Journal of Virology*, December 1980, pp. 860-871, Vol. 36, No. 3.

DuBRIDGE et al., "Analysis of Mutation in Human Cells by Using an Epstein-Barr Virus Shuttle System," *Molecular and Cellular Biology*, January 1987, pp. 397-387, Vol. 7, No. 1.

NEUMANN et al., "Generation of influenza A viruses entirely from cloned cDNAs," *Proc. Natl. Acad. Sci.*, August 1999, pp. 9345-9350, Vol. 96.

BUKREYEV et al., "Recombinant Respiratory Syncytial Virus from Which the Entire SH Gene Has Been Deleted Grows Efficiently in Cell Culture and Exhibits Site-Specific Attenuation in the Respiratory Tract of the Mouse," *Journal of Virology*, December 1997, pp. 8973-8982, Vol. 71, No. 12.

PLESCHKA et al., "A Plasmid-Based Reverse Genetics System for Influenza A Virus," *Journal of Virology*, June 1996, pp. 4188-4192, Vol. 70, No. 6.

ORY et al., "A stable human-derived packaging cell line for production of high titer retrovirus/vesicular stomatitis virus G pseudotypes," *Proc. Natl. Acad. Sci.*, October 1996, pp. 11400-11406, Vol. 93.

BROWN et al., "Evaluation of Cell Line 293 for Virus isolation in Routine Viral Diagnosis," *Journal of Clinical Microbiology*, April 1986, pp. 704-708, Vol. 23, No. 4.

STEVENS et al., "The N-Terminal Extension of the Influenza B Virus Nucleoprotein Is Not Required for Nuclear Accumulation or the Expression and Replication of a Model RNA," *Journal of Virology*, June 1998, pp. 5307-5312, Vol. 72, No. 6.

CARAVOKYRI et al., "Constitutive Episomal Expression of Polypeptide IX (pIX) in a 293-Based Cell Line Complements that Deficiency of pIX Mutant Adenovirus Type 5," *Journal of Virology*, November 1995, pp. 6627-6633, Vol. 69, No. 11.

LUTZ et al., "The Product of the Adenovirus Intermediate Gene IX Is a Transcriptional Activator," *Journal of Virology*, July 1997, pp. 5102-5109, Vol. 71, No. 7.

CICCARONE et al., "Lipofectamine 2000 Reagent for Transfection of Eukaryotic Cells," Focus, 1999, pp. 54-55, Vol. 21, No. 2.

GIBCO cell culture, A Guide to Serum-Free Cell Culture, www.invitrogen.com.

PubMed listing of abstracts (visited April 10, 2005)
<<http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=search&DB=pubmed>.

Opposition against European patent 1 108 878 B1 filed October 5, 2005 in the name and on behalf of CEVEC Pharmaceuticals GmbH.

ALKHATIB et al., "High-Level Eucaryotic In Vivo Expression of Biologically Active Measles Virus Hemagglutinin by Using an Adenovirus Type 5 Helper-Free Vector System," Journal of Virology, August 1988, pp. 2718-2727, Vol. 62, No. 8.

ALKHATIB et al., "Expression of Bicistronic Measles Virus P/C mRNA by Using Hybrid Adenovirus: Levels of C Protein Synthesized In Vivo Are Unaffected by the Presence or Absence of the Upstream P Initiator Codon," Journal of Virology, November 1988, pp. 4059-4068, Vol. 62, No. 11.

HOLZER et al., "Construction of a Vaccinia Virus Deficient in the Essential DNA Repair Enzyme Uracil DNA Glycosylase by a Complementing Cell Line," Journal of Virology, July 1997, pp. 4997-5002, Vol. 71, No. 7.

MANSERVIGI et al., "Protection from Herpes Simplex Virus Type 1 Lethal and Latent Infections by Secreted Recombinant Glycoprotein B Constitutively Expressed in Human Cells with a BK Virus Episomal Vector," Journal of Virology, January 1990, pp. 431-436, Vol. 64, No.1.

PARKINSON et al., "Stable Expression of a Secretable Deletion Mutant of Recombinant Human Thrombomodulin in Mammalian Cells," The Journal of Biological Chemistry, 25 July 1990, pp. 12602-12610, Vol. 265, No. 21.

GRAHAM et al., "Growth of 293 cells in suspension culture," J Gen Virol, March 1987, pp. 937-940, Vol. 68.

RHIM et al., "Development of Human Cell Lines from Multiple Organs," Annals of the New York Academy of Sciences, 2000, pp. 16-25, Vol. 919.

U.S. Department of Health and Human Services, Public Health Service, Food and drug Administration, Center for Biologics Evaluation and Research, International Association for Biologicals, National Institute of Allergy and Infectious Diseases, National Vaccine Program Office, World Health Organization, Evolving Scientific and Regulatory Perspectives on Cell Substrates for Vaccine Development, Workshop, Friday, 10 September 1999 (visited 30.09.2005) <<http://www.fda.gov.cber.minutes/0910evolv.txt>>.

Opposition against European patent 1 161 548 B1 filed November 16, 2005, in the name and on behalf of CEVEC Pharmaceutical GmbH.

Notice of Opposition to a European Patent for 1 161 548.

GenBank Accession No. X02996.1, 1993, "Adenovirus type 5 left 32% of the genome."

BERG et al., High-Level Expression of Secreted Proteins from Cells Adapted to Serum-Free Suspension Culture, Research Report, 1993, pp. 972-78, Vol. 14, No. 6.

GARNIER et al., Scale-up of the adenovirus expression system for the production of recombinant protein in human 293S cells, Cytotechnology, 1994, pp. 145-55, Vol. 15.

MASSIE et al., Improved Adenovirus Vector Provides Herpes Simplex Virus Ribonucleotide Reductase R1 and R2 Subunits Very Efficiently, Biotechnology, June 1995, pp. 602-08, Vol. 13.

COTE et al., Serum-Free Production of Recombinant Proteins and Adenoviral Vectors by 293SF-3F6 Cells, Biotechnology and Bioengineering, September 5, 1998, pp. 567-75, Vol. 59, No. 5.

GALLIMORE et al., Transformation of Human Embryo Retinoblasts with Simian Virus 40, Adenovirus and ras Oncogenes, Anticancer Research, 1986, pp. 499-508, Vol.6.

FALLAUX et al., Characterization of 911: A New Helper Cell Line for the Titration and Propagation of Early Region 1-Deleted Adenoviral Vectors, Human Gene Therapy, January 20, 1996, pp. 215-222, Vol. 7.

Marketing Authorization and Scientific Discussion for Xigris.

YEAGER et al., Constructing immortalized human cell lines, Current Opinion Biotechnology, 1999, pp. 465-69, Vol. 10.

INOUE et al., Production of Recombinant Human Monoclonal Antibody Using ras-

Amplified BHK-21 Cells in a Protein-free Medium, *Biosci. Biotech. Biochem.*, 1996, pp. 811-17, Vol. 60, No. 5.

LOPEZ et al., Efficient production of biologically active human recombinant proteins in human lymphoblastoid cells form integrative and episomal expression vectors, *Gene*, 1994, pp. 285-91, Vol. 148.

YEH et al., *Adenoviral Vectors*, pp. 25-42 of "Concepts in Gene Therapy," Publisher: Walter de Gruyter, New York.

YAN et al., Novel Asn-linked oligosaccharides terminating in GalNAcbeta(1-4)[Fucalpha(1-3)]GlcNAcbeta(1-) are present in recombinant human Protein C expressed in human kidney 293 cells, *Glycobiology*, 1993, pp. 597-608, Vol. 3. No. 6.

Certificate of deposit of the PER.C6 cell line (ECACC deposit under number 96022940).

Figure 1 submitted by Opponent I.

Interlocutory Decision of the Opposition Division of 21 July 2003 in the case EP 0 695 351(European application 94 913 174.2)

BOUT et al., "Improved helper cells for RCA-free production of E1-deleted recombinant adenovirus vectors," *Cancer Gene Therapy*, 1996, pp. S24, Vol. 3, No. 6.

BOUT et al., "Production of RCA-free batches of E1-deleted recombinant adenoviral vectors on PER.C6," *Nucleic Acids Symp. Ser.* 1998, XP-002115716, pp. 35-36.

BOUTL et al., "A novel packaging cell line (PER.C6) for efficient production of RCA-free batches of E1-deleted recombinant adenoviral vectors, *Cancer Gene Therapy*, 1997, pp. S32-S33, Vol. 4, No. 6.

CARROLL et al., Abstract, Differential Infection of Receptor-modified Host Cells by Receptor-Specific Influenza Viruses, *Virus Research*, Sep. 1985, pp. 165-79, Vol. 3, No. 2.

CRONAN, Abstract, Biotination of Proteins in-vivo a post-translational modification to label purify and study proteins, *Journal of Biological Chemistry*, June 25, 1990, pp. 10327-33, Vol. 265, No. 18.

ENDO et al., Growth of Influenza A Virus in Primary, Differentiated Epithelial Cells Derived from Adenoids, *Journal of Virology*, Mar. 1996, pp. 2055-58, Vol. 70, No. 3.

FALLAUX et al, "New helper cells and matched early region 1-deleted adenovirus vectors prevent generation of replication-competent adenoviruses," Human Gene Therapy, Sept. 1, 1998, Vol. 9, No. 1, pp. 1909-1917.

GHOSH-CHOUDHURY et al., Protein IX, a minor component of the human adenovirus capsid, is essential for the packaging of the full length genomes, The EMBO Journal, 1987, pp. 1733-39, Vol. 6, No. 6.

GRABENHORST et al., Construction of stable BHK-21 cells coexpressing human secretory glycoproteins and human Gal(beta-1-4)GlcNAc-R alpha-2,6-sialyltransferase alpha-2,6-Linked NeuAc is preferentially attached to the Gal(beta-1-4)GlcNAc(beta-1-2)Man(alpha-1-3)-branch of diantennary oligosaccharides from secreted recombinant beta-trace protein, Eur. J. Biochem, 1995, pp. 718-25, Vol. 232, No. 3, Berlin, Germany.

GRAND et al., "Modulation of the level of expression of cellular genes in adenovirus 12-infected and transformed human cells," Eur Mol Biol Organ J. 1986, 5 (6) 1253-1260. Abstract.

GRAND et al., "The high levels of p53 present in adenovirus early region 1-transformed human cells do not cause up-regulation of MDM2 expression," Virology, 1995, Vol. 210, No. 2, pp. 323-334. Abstract.

HOLLISTER et al., Stable expression of mammalian beta1,4-galactosyltransferase extends the N-glycosylation pathway in insect cells, Glycobiology, 1998, pp. 473-80, Vol. 8, No. 5, IRL Press, United Kingdom.

JENKINS et al., Getting the glycosylation right: Implications for the biotechnology industry, Nature Biotechnology, August 1996, pp. 975-81, Vol. 14, No. 8, Nature Publishing, US.

LOUIS et al., Cloning and Sequencing of the Cellular--Viral Junctions from the Human Adenovirus Type 5 Transformed 293 Cell Line, Virology, 1997, pp. 423-29, Vol. 233.

MERTEN et al., Production of Influenza Virus in Cell Cultures for Vaccine Preparation, Exp Med Biol., 1996, pp. 141-51, Vol. 397.

MINCH et al., Tissue Plasminogen Activator Coexpressed in Chinese Hamster Ovary Cells with alpha(2,6)-Sialyltransferase Contains NeuAc-alpha(2,6)Gal-beta(1,4)Glc-N-AcR Linkages, Biotechnol. Prog., 1995, pp. 348-51, Vol. 11, No. 3.

NCBI Entrez Nucleotide accession number NC_002018.

NCBI Entrez Nucleotide accession number U38242.

NCBI Entrez Nucleotide accession number X02996 J01967 J01968 J01970 J01971 J01972 J01974 J01976 J01977 J01978 J01979 K00515 V00025 V00026 V00027 V00029.

PACITTI et al., Inhibition of Reovirus Type 3 Binding to Host Cells by Sialylated Glycoproteins Is Mediated through the Viral Attachment Protein, *Journal of Virology*, May 1987, pp. 1407-15, Vol. 61, No. 5, American Society for Microbiology.

PAU et al., Abstract, The human cell line PER.C6 provides a new manufacturing system for the production of influenza vaccines, *Vaccine*, Mar. 21, 2001, pp. 2716-21, Vol. 19, No. 17-19.

PAUL et al., Increased Viral Titer Through Concentration of Viral Harvests from Retroviral Packaging Lines, *Human Gene Therapy*, 1993, pp. 609-15, Vol. 4.

PAZUR et al., Abstract, Oligosaccharides as immunodeterminants of erythropoietin for two sets of anti-carbohydrate antibodies, *Journal of Protein Chemistry*, November 2000, pp. 631-35, Vol. 19, No. 8.

REINA et al., Comparison of Madin-Darby Canine Kidney cells (MDCK) with a Green Monkey Continuous Cell Line (Vero) and Human Lung Embryonated Cells (MRC-5) in the Isolation of Influenza A Virus from Nasopharyngeal Aspirates by Shell Vial Culture, *Journal of Clinical Microbiology*, July 1997, pp. 1900-01, Vol. 35, No. 7.

SCHIEDNER et al., Abstract, Efficient transformation of primary human amniocytes by E1 functions of Ad5: generation of new cell lines for adenoviral vector production, 2000, *Hum. Gene Ther.* 11, 2105-2116.

SETOGUCHI et al., "Stimulation of Erythropoiesis by in vivo gene therapy: Physiologic consequences of transfer of the human erythropoietin gene to experimental animals using an adenovirus vector," *Blood*, November 1, 1994, pp. 2946-53, Vol. 84, No. 9.

STOCKWELL et al., High-throughput screening of small molecules in Miniaturized Mammalian Cell-based Assays involving Post-translational Modifications, *Chemistry and Biology*, February 1999, pp. 71-83, Vol. 6, No. 2.

Serial No.: 09/449,854

WEIKERT et al., Engineering Chinese hamster ovary cells to maximize sialic acid content of recombinant glycoproteins, Nature Biotechnology, November 1999, pp. 1116-21, Vol. 17, No. 11, Nature Pub. Co., New York, NY, US.

YU et al., "Enhanced c-erbB-2/neu expression in human ovarian cancer cells correlates with more severe malignancy that can be suppressed by E1A," Cancer Res., 1993, 53 (4) 891-8. Abstract.

ZHANG et al., Stable expression of human alpha-2,6-sialyltransferase in Chinese hamster ovary cells: functional consequences for human erythropoietin expression and bioactivity, BBA - General Subjects, 1998, pp. 441-52, Vol. 1425, No. 3, Elsevier Science Publishers, NL.

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming a common inventor(s):

Attorney Docket No.: 2578-4626US
Serial No.: 09/722,867
Filing Date: 11/27/2000
Title: PRODUCTION OF VACCINES

Attorney Docket No.: 2578-4843US
Serial No.: 09/843,894
Filing Date: 4/27/2001
Title: AAV VECTOR PRODUCTION

Attorney Docket No.: 2578-4038.2US
Serial No.: 10/234,007
Filing Date: 9/3/2002
Title: RECOMBINANT PROTEIN PRODUCTION IN A HUMAN CELL

Attorney Docket No.: 2578-6448US
Serial No.: 10/497,832
Filing Date: 1/10/2005
Title: PRODUCTION OF VIRUSES, VIRAL ISOLATES AND VACCINES

Serial No.: 09/449,854

Attorney Docket No.: 2578-6158US
Serial No.: 10/698,086
Filing Date: 10/30/2003
Title: METHODS FOR THE IDENTIFICATION OF ANTIVIRAL COMPOUNDS

Attorney Docket No.: 2578-4038.3US
Serial No.: 10/790,562
Filing Date: 3/1/2004
Title: RECOMBINANT PROTEIN PRODUCTION IN A HUMAN CELL

Attorney Docket No.: 2578-6448.1US
Serial No.: 11/026,518
Filing Date: 12/30/2004
Title: OVEREXPRESSION OF ENZYMES INVOLVED IN POST-TRANSLATIONAL PROTEIN MODIFICATIONS IN HUMAN CELLS

Attorney Docket No.: 2578-6964US
Serial No.: 11/102,073
Filing Date: 4/8/2005
Title: COMPOSITIONS OF ERYTHROPOIETIN ISOFORMS COMPRISING LEWIS-X STRUCTURES AND HIGH SIALIC ACID CONTENT

Attorney Docket No.: 2578-6845US
Serial No.: 11/105,725
Filing Date: 4/14/2005
Title: NEW SETTINGS FOR RECOMBINANT ADENOVIRAL-BASED VACCINES

Attorney Docket No.: 2578-6827US
Serial No.: 11/110,517
Filing Date: 4/20/2005
Title: VACCINES AGAINST WEST NILE VIRUS

Attorney Docket No.: 2578-6979US
Serial No.: 11/143,986
Filing Date: 6/2/2005
Title: RECOMBINANT VIRAL-BASED MALARIA VACCINES

Serial No.: 09/449,854

Attorney Docket No.: 2578-7508US
Serial No.: 11/256,352
Filing Date: 10/21/2005
Title: PRODUCTION OF VACCINES


Attorney Docket No.: 2578-4626.1US
Serial No.: 11/271,368
Filing Date: 11/11/2005
Title: PRODUCTION OF VACCINES

Attorney Docket No.: 2578-7192US
Serial No.: 60/683,266
Filing Date: 5/19/2005
Title: METHODS FOR THE PRODUCTION OF A
WHOLE-INACTIVATED WEST NILE VIRUS VACCINE

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

The fee pursuant to 37 C.F.R. § 1.17(p) is enclosed.

Respectfully submitted,

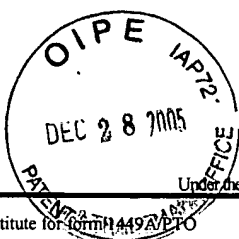


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Date: December 23, 2005

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Attorney Docket Number

Complete if Known

Application Number	09/449,854
Filing Date	November 26, 1999
First Named Inventor	Pau et al.
Group Art Unit	1648
Examiner Name	M. Hill
Attorney Docket Number	2578-4240US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 4,703,008	10-27-1987	Lin	
		US- 4,835,260	05-30-1989	Shoemaker	
		US- 5,047,335	09-10-1991	Paulson et al.	
		US- 5,441,868	08-15-1995	Lin	
		US- 5,457,089	10-10-1995	Fibi et al.	
		US- 5,494,790	02-27-1996	Sasaki et al.	
		US- 5,767,078	06-16-1998	Johnson et al.	
		US- 5,773,569	06-30-1998	Wrighton et al.	
		US- 5,789,247	08-04-1998	Ballay et al.	
		US- 5,830,851	11-03-1998	Wrighton et al.	
		US- 5,835,382	11-10-1998	Wilson et al.	
		US- 5,856,298	01-05-1999	Strickland	
		US- 5,994,128	11-30-1999	Fallaux et al.	
		US- 6,033,908	03-01-2000	Bout et al.	
		US- 2002/116723 A1	08-22-2002	Grigliatti et al.	
		US- 6,492,169 B1	12-10-2002	Vogels et al.	
		US- 6,558,948	05-06-2003	Kochanek et al.	
		US- 2003/0087437 A1	05-08-2003	Asada et al.	
		US- 2003/0092160	05-15-2003	Bout et al.	
		US- 6,653,101 B1	11-25-2003	Cockett et al.	
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		US-6,878,549 B1	04-12-2005	Vogels et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 93/03163	02-18-1993	Fond Nat Transfusion		
		WO 95/05465	02-23-1995	Amgen Inc.		
		WO 95/29994	11-09-1995	Univ Michigan		
		WO 97/00326	01-03-1997	Univ Leiden		
		WO 98/18926	05-07-1998	G.D. Searle & Co.		
		WO 98/39411	09-11-1998	Baxter International Inc.		
		WO 98/44141	10-08-1998	The University of British Columbia		
		WO 99/05268	02-04-1999	Boehringer Mannheim GMBH		
		WO 00/61164	10-19-2000	Kenneth S. Warren Laboratories		
		WO 00/63403	10-26-2000	Introgene B.V.		
		WO 01/38362 A2	05-31-2001	Crucell Holland B.V.		
		WO 02/053580	07-11-2002	The Kenneth S. Warren Institute, Inc.		
		WO 03/038100 A1	05-08-2003	Crucell Holland B.V.		
		WO 03/048197 A1	06-12-2003	Crucell Holland B.V.		
		WO 03/048348 A2	06-12-2003	Crucell Holland B.V.		
		WO 03/051927	06-26-2003	Crucell Holland B.V.		
		WO 2004/003176	01-08-2004	The Kenneth S. Warren Institute, Inc.		
		WO 2004/099396	11-18-2004	Crucell Holland B.V.		
		EP 0 185 573	06-25-1995	Univ Michigan		
		EP 0 411 678	02-06-1991	Genetics Institute, Inc.		
		EP 0 833 934 B1	04-08-1998	Fallaux et al.		

Examiner
Signature

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Application Number	09/449,854
Filing Date	November 26, 1999
First Named Inventor	Pau et al.
Group Art Unit	1648
Examiner Name	M. Hill
Attorney Docket Number	2578-42401 IS

NON PATENT LITERATURE DOCUMENTS

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		Opposition against European patent 1108787 filed October 5, 2005 in the name and on behalf of Probiogen AG.	
		GRAHAM et al., "Characteristics of a Human Cell Line Transformed by DNA from Human Adenovirus Type 5," J. Gen. Virol., 1977, pp. 59-72, Vol. 36.	
		GRAHAM, Cell Lines, Promochem (visited 04.10.2005) < http://www.lgcpromochem-atcc.com/SearchCatalogs/longview.cfm?view=ce,1146678... >.	
		SPECTOR et al., "Regulation of Integrated Adenovirus Sequences During Adenovirus Infection of Transformed Cells," Journal of Virology, December 1980, pp. 860-871, Vol. 36, No. 3.	
		DuBRIDGE et al., "Analysis of Mutation in Human Cells by Using an Epstein-Barr Virus Shuttle System," Molecular and Cellular Biology, January 1987, pp. 397-387, Vol. 7, No. 1.	
		NEUMANN et al., "Generation of influenza A viruses entirely from cloned cDNAs," Proc. Natl. Acad. Sci., August 1999, pp. 9345-9350, Vol. 96.	
		BUKREYEV et al., "Recombinant Respiratory Syncytial Virus from Which the Entire SH Gene Has Been Deleted Grows Efficiently in Cell Culture and Exhibits Site-Specific Attenuation in the Respiratory Tract of the Mouse," Journal of Virology, December 1997, pp. 8973-8982, Vol. 71, No. 12.	
		PLESCHKA et al., "A Plasmid-Based Reverse Genetics System for Influenza A Virus," Journal of Virology, June 1996, pp. 4188-4192, Vol. 70, No. 6.	
		ORY et al., "A stable human-derived packaging cell line for production of high titer retrovirus/vesicular stomatitis virus G pseudotypes," Proc. Natl. Acad. Sci., October 1996, pp. 11400-11406, Vol. 93.	
		BROWN et al., "Evaluation of Cell Line 293 for Virus isolation in Routine Viral Diagnosis," Journal of Clinical Microbiology, April 1986, pp. 704-708, Vol. 23, No. 4.	
		STEVENS et al., "The N-Terminal Extension of the Influenza B Virus Nucleoprotein Is Not Required for Nuclear Accumulation or the Expression and Replication of a Model RNA," Journal of Virology, June 1998, pp. 5307-5312, Vol. 72, No. 6.	

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Attorney Docket Number	2578-42401IS

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		CARAVOKYRI et al., "Constitutive Episomal Expression of Polypeptide IX (pIX) in a 293-Based Cell Line Complements that Deficiency of pIX Mutant Adenovirus Type 5," Journal of Virology, November 1995, pp. 6627-6633, Vol. 69, No. 11.	
		LUTZ et al., "The Product of the Adenovirus Intermediate Gene IX Is a Transcriptional Activator," Journal of Virology, July 1997, pp. 5102-5109, Vol. 71, No. 7.	
		CICCARONE et al., "Lipofectamine 2000 Reagent for Transfection of Eukaryotic Cells," Focus, 1999, pp. 54-55, Vol. 21, No. 2.	
		GIBCO cell culture, A Guide to Serum-Free Cell Culture, www.invitrogen.com.	
		PubMed listing of abstracts (visited 04.10.2005) <http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?CMD=search&DB=pubmed.	
		Opposition against European patent 1 108 878 B1 filed October 5, 2005 in the name and on behalf of CEVEC Pharmaceuticals GmbH.	
		ALKHATIB et al., "High-Level Eucaryotic In Vivo Expression of Biologically Active Measles Virus Hemagglutinin by Using an Adenovirus Type 5 Helper-Free Vector System," Journal of Virology, August 1988, pp. 2718-2727, Vol. 62, No. 8.	
		ALKHATIB et al., "Expression of Bicistronic Measles Virus P/C mRNA by Using Hybrid Adenovirus: Levels of C Protein Synthesized In Vivo Are Unaffected by the Presence or Absence of the Upstream P Initiator Codon," Journal of Virology, November 1988, pp. 4059-4068, Vol. 62, No. 11.	
		HOLZER et al., "Construction of a Vaccinia Virus Deficient in the Essential DNA Repair Enzyme Uracil DNA Glycosylase by a Complementing Cell Line," Journal of Virology, July 1997, pp. 4997-5002, Vol. 71, No. 7.	
		MANSEVIGI et al., "Protection from Herpes Simplex Virus Type 1 Lethal and Latent Infections by Secreted Recombinant Glycoprotein B Constitutively Expressed in Human Cells with a BK Virus Episomal Vector," Journal of Virology, January 1990, pp. 431-436, Vol. 64, No.1.	
		PARKINSON et al., "Stable Expression of a Secretable Deletion Mutant of Recombinant Human Thrombomodulin in Mammalian Cells," The Journal of Biological Chemistry, 25 July 1990, pp. 12602-12610, Vol. 265, No. 21.	
		GRAHAM et al., "Growth of 293 cells in suspension culture," J Gen Virol, March 1987, pp. 937-940, Vol. 68.	
		RHIM et al., "Development of Human Cell Lines from Multiple Organs," Annals of the New York Academy of Sciences, 2000, pp. 16-25, Vol. 919.	

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First Named Inventor

Pau et al.

Group Art Unit

1648

Examiner Name

M. Hill

Attorney Docket Number

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		U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration, Center for Biologics Evaluation and Research, International Association for Biologicals, National Institute of Allergy and Infectious Diseases, National Vaccine Program Office, World Health Organization, Evolving Scientific and Regulatory Perspectives on Cell Substrates for Vaccine Development, Workshop, Friday, 10 September 1999 (visited 30.09.2005) < http://www.fda.gov/cber/minutes/0910evolvt.txt >.	
		Opposition against European patent 1 161 548 B1 filed November 16, 2005, in the name and on behalf of CEVEC Pharmaceutical GmbH.	
		Notice of Opposition to a European Patent for 1 161 548.	
		GenBank Accession No. X02996.1, 1993, "Adenovirus type 5 left 32% of the genome."	
		BERG et al., High-Level Expression of Secreted Proteins from Cells Adapted to Serum-Free Suspension Culture, Research Report, 1993, pp. 972-78, Vol. 14, No. 6.	
		GARNIER et al., Scale-up of the adenovirus expression system for the production of recombinant protein in human 293S cells, Cytotechnology, 1994, pp. 145-55, Vol. 15.	
		MASSIE et al., Improved Adenovirus Vector Provides Herpes Simplex Virus Ribonucleotide Reductase R1 and R2 Subunits Very Efficiently, Biotechnology, June 1995, pp. 602-08, Vol. 13.	
		COTE et al., Serum-Free Production of Recombinant Proteins and Adenoviral Vectors by 293SF-3F6 Cells, Biotechnology and Bioengineering, September 5, 1998, pp. 567-75, Vol. 59, No. 5.	
		GALLIMORE et al., Transformation of Human Embryo Retinoblasts with Simian Virus 40, Adenovirus and ras Oncogenes, Anticancer Research, 1986, pp. 499-508, Vol.6.	

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		FALLAUX et al., Characterization of 911: A New Helper Cell Line for the Titration and Propagation of Early Region 1-Deleted Adenoviral Vectors, Human Gene Therapy, January 20, 1996, pp. 215-222, Vol. 7.	
		Marketing Authorization and Scientific Discussion for Xigris.	
		YEAGER et al., Constructing immortalized human cell lines, Current Opinion Biotechnology, 1999, pp. 465-69, Vol. 10.	
		INOUE et al., Production of Recombinant Human Monoclonal Antibody Using ras-Amplified BHK-21 Cells in a Protein-free Medium, Biosci. Biotech. Biochem., 1996, pp. 811-17, Vol. 60, No. 5.	
		LOPEZ et al., Efficient production of biologically active human recombinant proteins in human lymphoblastoid cells form integrative and episomal expression vectors, Gene, 1994, pp. 285-91, Vol. 148.	
		YEH et al., Adenoviral Vectors, pp. 25-42 of "Concepts in Gene Therapy," Publisher: Walter de Gruyter, New York.	
		YAN et al., Novel Asn-linked oligosaccharides terminating in GalNAc β (1-4)[Fuc α (1-3)]GlcNAc β (1-) are present in recombinant human Protein C expressed in human kidney 293 cells, Glycobiology, 1993, pp. 597-608, Vol. 3. No. 6.	
		Certificate of deposit of the PER.C6 cell line (ECACC deposit under number 96022940).	
		Figure 1 submitted by Opponent I.	
		Interlocutory Decision of the Opposition Division of 21 July 2003 in the case EP 0 695 351(European application 94 913 174.2)	

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		BOUT et al., "Improved helper cells for RCA-free production of E1-deleted recombinant adenovirus vectors," Cancer Gene Therapy, 1996, pp. S24, Vol. 3, No. 6.	
		BOUT et al., "Production of RCA-free batches of E1-deleted recombinant adenoviral vectors on PER.C6," Nucleic Acids Symp. Ser. 1998, XP-002115716, pp. 35-36.	
		BOU TL et al., "A novel packaging cell line (PER.C6) for efficient production of RCA-free batches of E1-deleted recombinant adenoviral vectors, Cancer Gene Therapy, 1997, pp. S32-S33, Vol. 4, No. 6.	
		CARROLL et al., Abstract, Differential Infection of Receptor-modified Host Cells by Receptor-Specific Influenza Viruses, Virus Research, Sep. 1985, pp. 165-79, Vol. 3, No. 2.	
		CRONAN, Abstract, Biotination of Proteins in-vivo a post-translational modification to label purify and study proteins, Journal of Biological Chemistry, June 25, 1990, pp. 10327-33, Vol. 265, No. 18.	
		ENDO et al., Growth of Influenza A Virus in Primary, Differentiated Epithelial Cells Derived from Adenoids, Journal of Virology, Mar. 1996, pp. 2055-58, Vol. 70, No. 3.	
		FALLAUX et al., "New helper cells and matched early region 1-deleted adenovirus vectors prevent generation of replication-competent adenoviruses," Human Gene Therapy, Sept. 1, 1998, Vol. 9, No. 1, pp. 1909-1917.	
		GHOSH-CHOUDHURY et al., Protein IX, a minor component of the human adenovirus capsid, is essential for the packaging of the full length genomes, The EMBO Journal, 1987, pp. 1733-39, Vol. 6, No. 6.	
		GRABENHORST et al., Construction of stable BHK-21 cells coexpressing human secretory glycoproteins and human Gal(beta-1-4)GlcNAc-R alpha-2,6-sialyltransferase alpha-2,6-Linked NeuAc is preferentially attached to the Gal(beta-1-4)GlcNAc(beta-1-2)Man(alpha-1-3)-branch of diantennary oligosaccharides from secreted recombinant beta-trace protein, Eur. J. Biochem, 1995, pp. 718-25, Vol. 232, No. 3, Berlin, Germany.	
		GRAND et al., "Modulation of the level of expression of cellular genes in adenovirus 12-infected and transformed human cells," Eur Mol Biol Organ J. 1986, 5 (6) 1253-1260. Abstract.	
		GRAND et al., "The high levels of p53 present in adenovirus early region 1-transformed human cells do not cause up-regulation of MDM2 expression," Virology, 1995, Vol. 210, No. 2, pp. 323-334. Abstract.	
		HOLLISTER et al., Stable expression of mammalian beta1,4-galactosyltransferase extends the N-glycosylation pathway in insect cells, Glycobiology, 1998, pp. 473-80, Vol. 8, No. 5, IRL Press, United Kingdom.	

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		JENKINS et al., Getting the glycosylation right: Implications for the biotechnology industry, Nature Biotechnology, August 1996, pp. 975-81, Vol. 14, No. 8, Nature Publishing, US.	
		LOUIS et al., Cloning and Sequencing of the Cellular--Viral Junctions from the Human Adenovirus Type 5 Transformed 293 Cell Line, Virology, 1997, pp. 423-29, Vol. 233.	
		MERTEN et al., Production of Influenza Virus in Cell Cultures for Vaccine Preparation, Exp Med Biol., 1996, pp. 141-51, Vol. 397.	
		MINCH et al., Tissue Plasminogen Activator Coexpressed in Chinese Hamster Ovary Cells with alpha(2,6)-Sialyltransferase Contains NeuAc-alpha(2,6)Gal-beta(1,4)Glc-N-AcR Linkages, Biotechnol. Prog., 1995, pp. 348-51, Vol. 11, No. 3.	
		NCBI Entrez Nucleotide accession number NC_002018.	
		NCBI Entrez Nucleotide accession number U38242.	
		NCBI Entrez Nucleotide accession number X02996 J01967 J01968 J01970 J01971 J01972 J01974 J01976 J01977 J01978 J01979 K00515 V00025 V00026 V00027 V00029.	
		PACITTI et al., Inhibition of Reovirus Type 3 Binding to Host Cells by Sialylated Glycoproteins Is Mediated through the Viral Attachment Protein, Journal of Virology, May 1987, pp. 1407-15, Vol. 61, No. 5, American Society for Microbiology.	
		PAU et al., Abstract, The human cell line PER.C6 provides a new manufacturing system for the production of influenza vaccines, Vaccine, Mar. 21, 2001, pp. 2716-21, Vol. 19, No. 17-19.	
		PAUL et al., Increased Viral Titer Through Concentration of Viral Harvests from Retroviral Packaging Lines, Human Gene Therapy, 1993, pp. 609-15, Vol. 4.	
		PAZUR et al., Abstract, Oligosaccharides as immunodeterminants of erythropoietin for two sets of anti-carbohydrate antibodies, Journal of Protein Chemistry, November 2000, pp. 631-35, Vol. 19, No. 8.	
		REINA et al., Comparison of Madin-Darby Canine Kidney cells (MDCK) with a Green Monkey Continuous Cell Line (Vero) and Human Lung Embryonated Cells (MRC-5) in the Isolation of Influenza A Virus from Nasopharyngeal Aspirates by Shell Vial Culture, Journal of Clinical Microbiology, July 1997, pp. 1900-01, Vol. 35, No. 7.	
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		SCHIEDNER et al., Abstract, Efficient transformation of primary human amniocytes by E1 functions of Ad5: generation of new cell lines for adenoviral vector production, 2000, Hum. Gene Ther. 11, 2105-2116.	
		SETOGUCHI et al., "Stimulation of Erythropoiesis by in vivo gene therapy: Physiologic consequences of transfer of the human erythropoietin gene to experimental animals using an adenovirus vector," Blood, November 1, 1994, pp. 2946-53, Vol. 84, No. 9.	
		STOCKWELL et al., High-throughput screening of small molecules in Miniaturized Mammalian Cell-based Assays involving Post-translational Modifications, Chemistry and Biology, February 1999, pp. 71-83, Vol. 6, No. 2.	
		WEIKERT et al., Engineering Chinese hamster ovary cells to maximize sialic acid content of recombinant glycoproteins, Nature Biotechnology, November 1999, pp. 1116-21, Vol. 17, No. 11, Nature Pub. Co., New York, NY, US.	
		YU et al., "Enhanced c-erbB-2/neu expression in human ovarian cancer cells correlates with more severe malignancy that can be suppressed by E1A," Cancer Res., 1993, 53 (4) 891-8. Abstract.	
		ZHANG et al., Stable expression of human alpha-2,6-sialyltransferase in Chinese hamster ovary cells: functional consequences for human erythropoietin expression and bioactivity, BBA - General Subjects, 1998, pp. 441-52, Vol. 1425, No. 3, Elsevier Science Publishers, NL.	
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